

# RI DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

## Division of Marine Fisheries

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### Pre-hearing Workshop

February 13, 2019



# Marine Fisheries Informational Workshop – Rules of Engagement



- Marine Fisheries staff will provide presentation on each of the possible regulation amendments. Discussion will ensue upon completion of each presentation.
- Discussion should focus on:
  - Understanding of the rationale behind each of the proposed amendments.
  - Providing additional recommendations and/or alternative proposals.
- Dates to remember:
  - **March 1:** Public notice.
  - **March 11:** Public hearing.
  - **March 18:** End of public comment period.
  - **April 1:** RI Marine Fisheries Council.
- **IMPORTANT!** The workshop discussion is not a public record. Please offer your preferred option(s)/proposals prior to noticing or during the public comment period.

# Agenda



1. 2019 commercial Menhaden management.
2. 2019 recreational Summer Flounder management.
3. 2019 recreational Black Sea Bass management.
4. 2019 commercial Black Sea Bass management to amend the summer season for Black sea bass to align with the Summer flounder fishery.
5. 2019 commercial Summer Flounder management (if necessary).
6. 2019 recreational Scup management.
7. Commercial Scup gear-based possession limit thresholds.
8. 2019 recreational and commercial Bluefish management.
9. Party/charter possession limit for tautog.
10. Recreational Cod minimum size.
11. Blacknose shark possession limit.



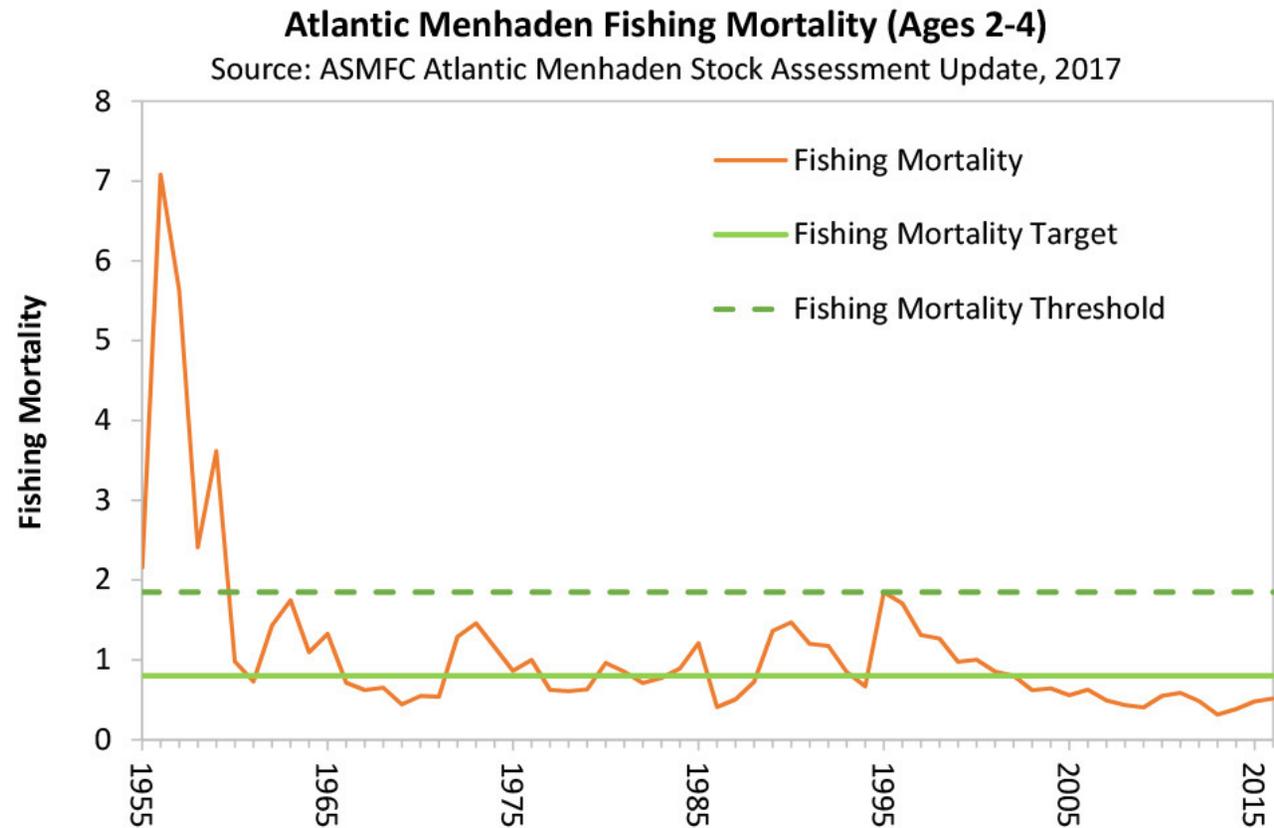
## Menhaden

- Summary of Stock Status
- 2018 Rhode Island Commercial Fishery Performance
- Proposals for 2019

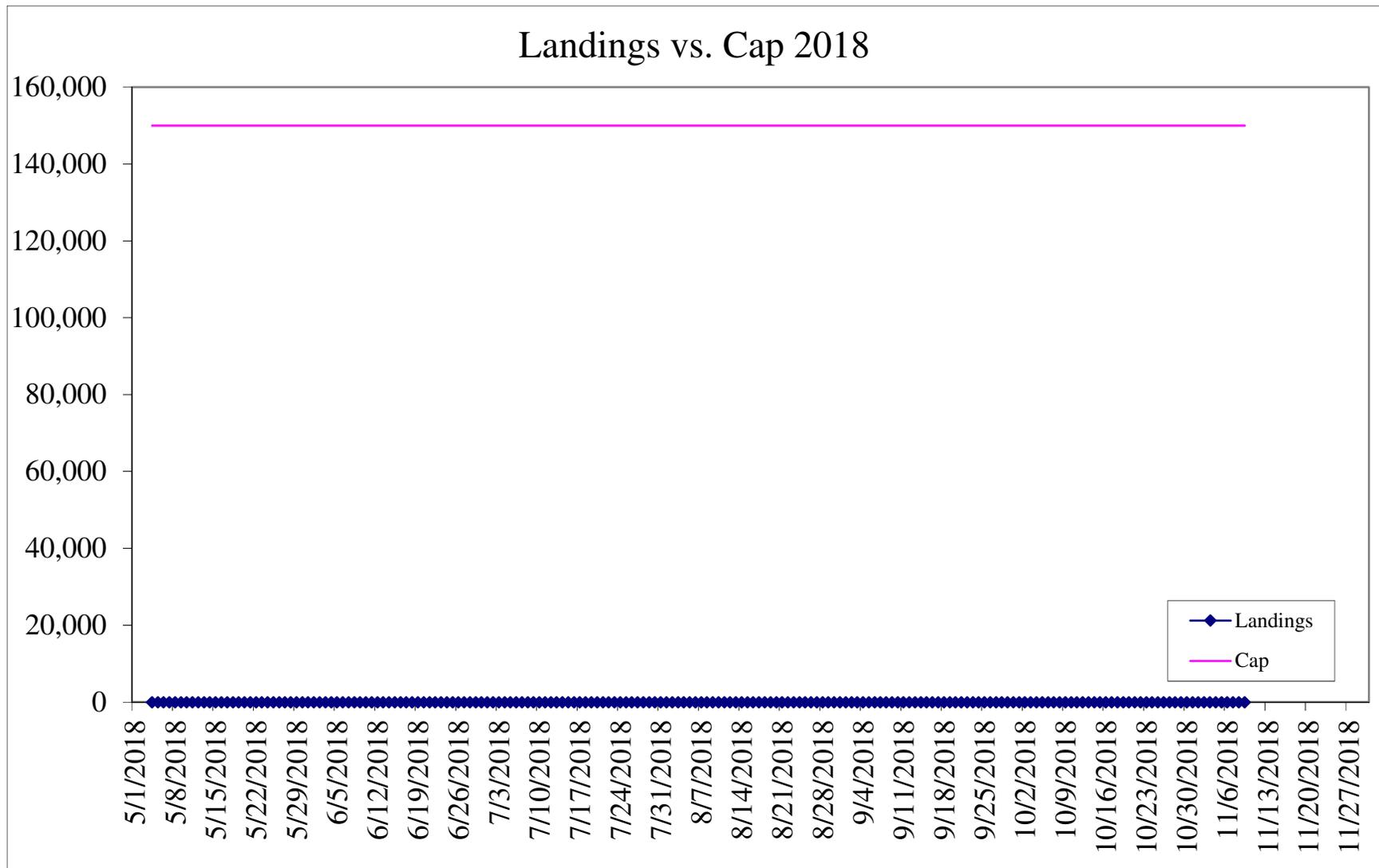
# Menhaden - Stock Status



- Update in 2017: Based on 2015 ASMFC/SEDAR assess. Single species and ecosystem-based benchmark assessments currently underway, to be peer reviewed in 2019.
- The population is not overfished and overfishing is not occurring (ASMFC, 2017).
- Fishing mortality was estimated to be 0.51 in 2016, a level below the fishing mortality threshold ( $F_{21\%}=1.85$ ) and the fishing mortality target ( $F_{36\%}=0.8$ )



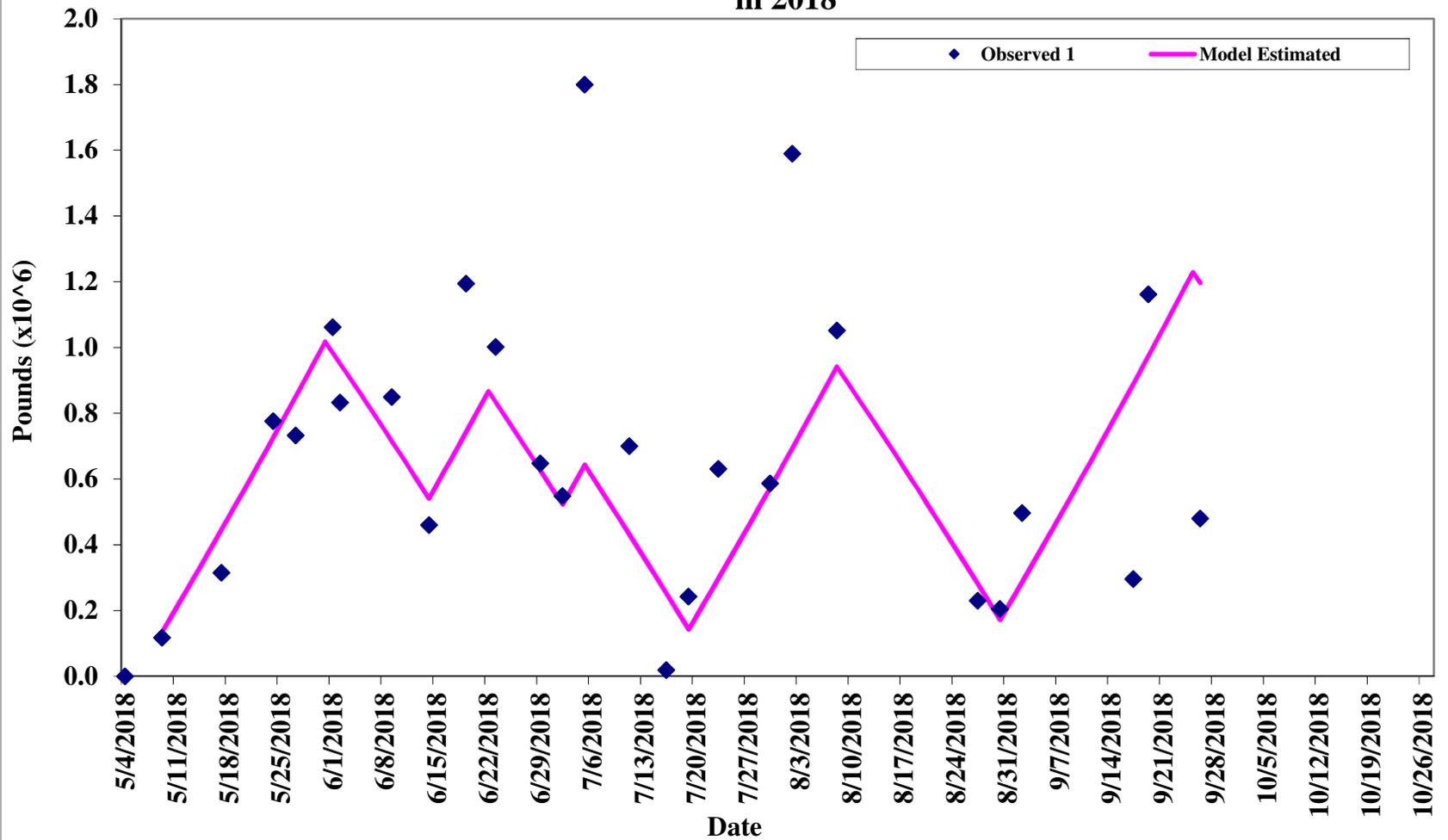
# Menhaden - 2018 RI Commercial Landings



# Menhaden - 2018 RI Spotter Pilot Observations



Observed and Model Estimated Spotter Index of Menhaden in Narragansett Bay in 2018





# Menhaden - 2018 Commercial Landings

Quota	Total Landings	Quota Remaining
2,366,618 lbs	722,388 lbs	1,644,230 lbs

- No overage in 2018

# Menhaden - 2019 Proposed Commercial Management Options



- **Proposal 1**: Modify language regarding “landing” vs. “possession” limit.
  - Rationale: Original intent was to still allow for possession once the state quota and episodic had been reached if the management area remained open, and prohibit landing. Requirement no longer necessary due to Amendment 3 quota increase.
  - Proposed language (Part 3, section 3.22.2(B)): Landing of menhaden in RI under State Quota Program: An annual statewide quota for menhaden is established annually for the State by the ASMFC. ~~The quota shall pertain solely to landings of menhaden in RI and shall not pertain to the possession of menhaden in RI waters prior to landing.~~
  - All other occurrences of “landing limit” will be changed to “possession limit”.

# Menhaden - 2019 Proposed Commercial Management Options



- **Proposal 2:** Modify language to broaden gear specificity in menhaden regulations:
  - Rationale: Original intent was for regulations to apply to purse seines but may now be relevant to additional large scale operations with Amendment 3 quota increase.
  - Example language: The possession or taking of menhaden by ~~purse seine~~ **a fishing vessel engaged in the commercial menhaden fishery** is prohibited on any Saturday, Sunday, official state holiday, or prior to sunrise or following sunset.
    - Certain exemptions for small scale gears and floating fish traps
- **Proposal 3:** Add transiting provision:
  - Rationale: There is no federal permit or possession limit for menhaden.
  - Proposed language: (3.22.2(B)(4)): **The transiting provision in 1.6(C)(1)(b) does not apply to the commercial menhaden fishery. Any vessel transiting state waters must abide by the current state possession limit.**



# Summer Flounder

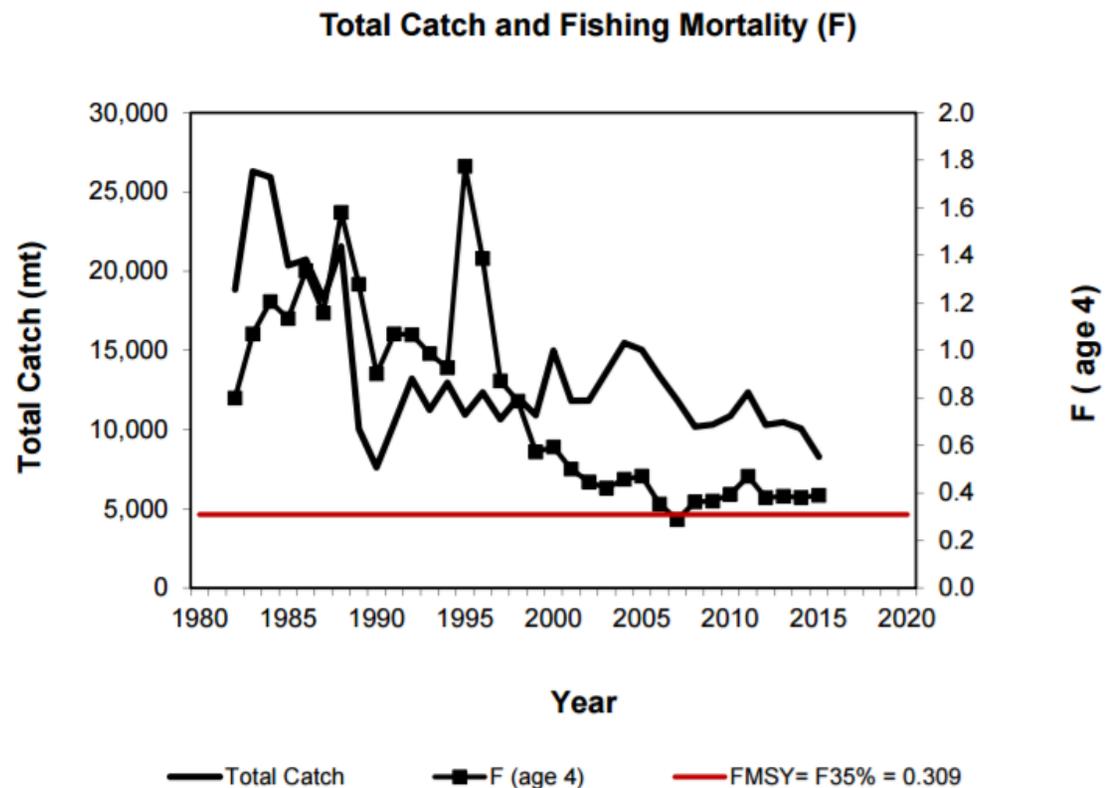


- Summary of Stock Status
- 2018 Rhode Island Recreational Fishery Performance
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# Summer Flounder - Stock Status



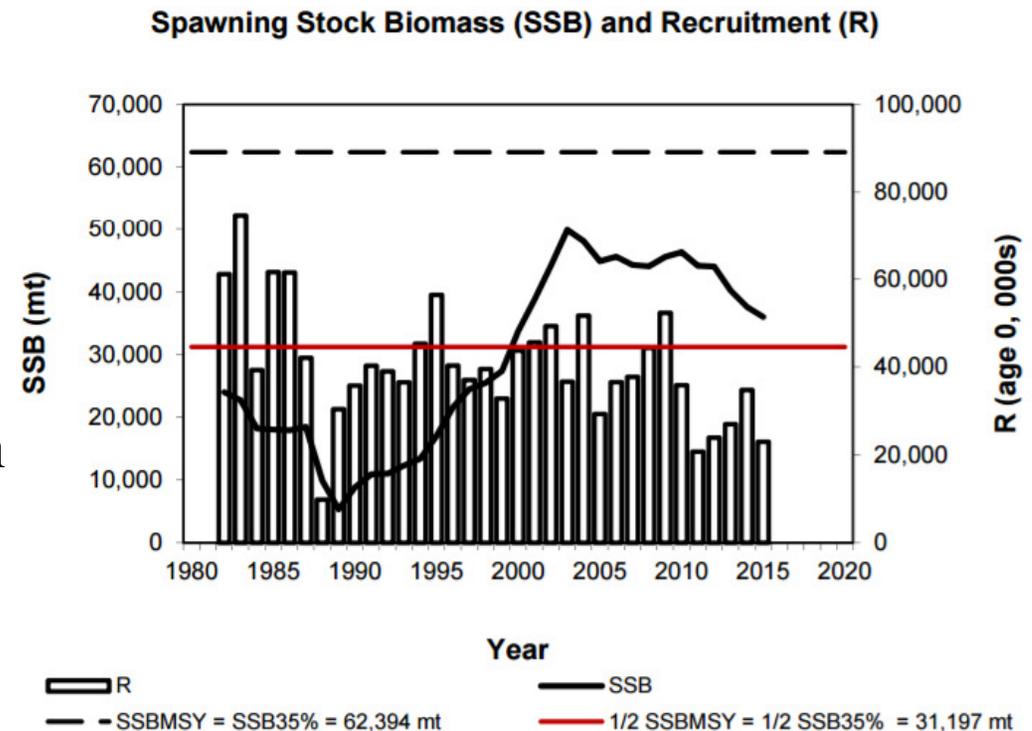
- Update in 2016: Based on SAW/SARC 57 assessment.
- The summer flounder stock is not overfished, but overfishing was occurring relative to biological reference points.
- Fishing mortality was estimated to be 0.390 in 2015, above the threshold F reference point = 0.309 (also above F target = 0.255).
- Benchmark was conducted, shutdown has delayed issuance



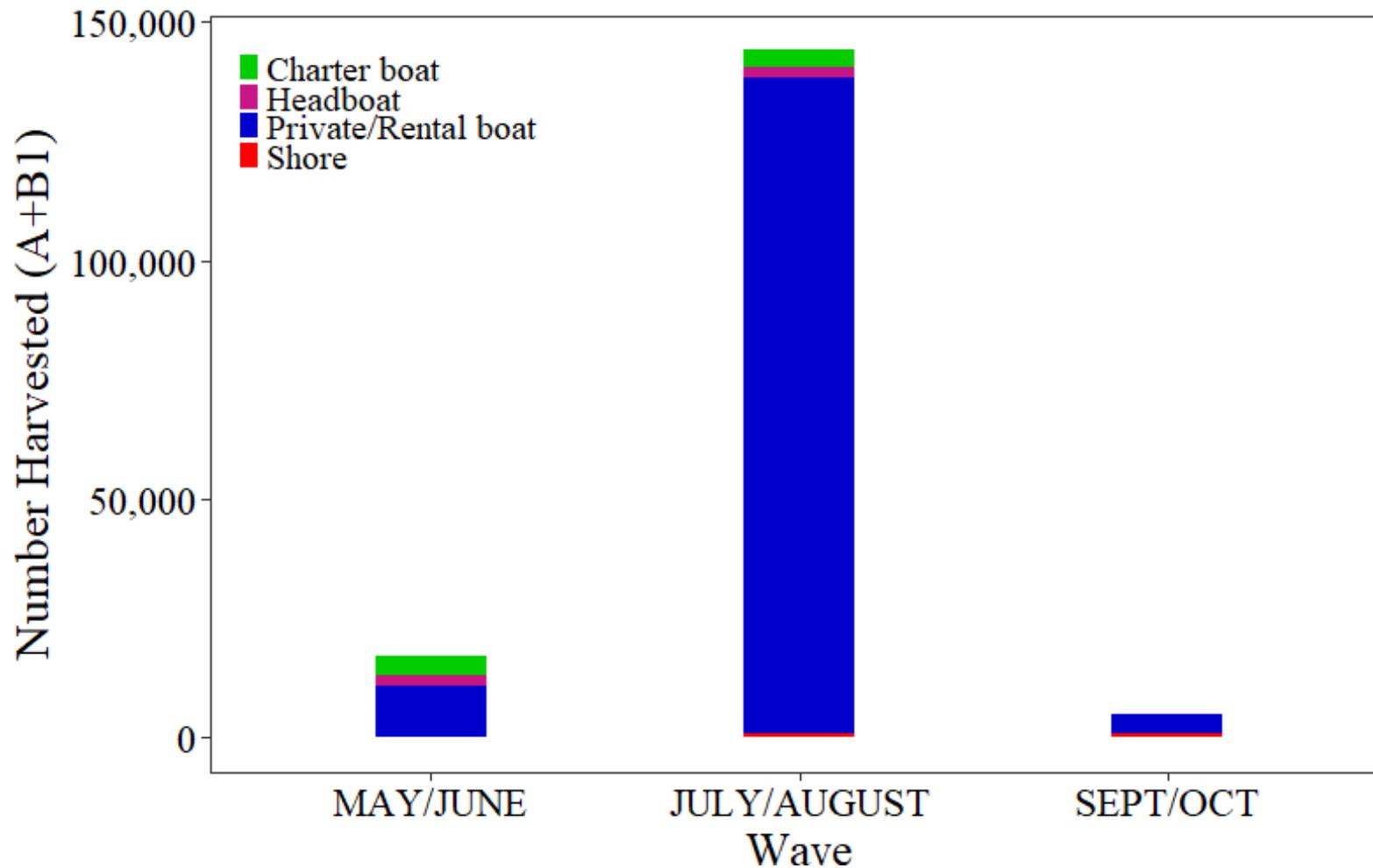
# Summer Flounder - Stock Status cont'd.



- SSB estimated to be 79.9 m lbs in 2015, below the SSB reference point = 137.6 m lbs but above the SSB threshold = 66.2 m lbs.
- The 2015 year class is currently estimated to be about 23 million fish, well below the average of 41 million fish.
- Retrospective pattern in recruitment is evident, the 2008 and 2009 large year classes have dropped significantly in recent updates.
- Given previous specification setting, an increase in quota is predicted for 2019, could be modified, pending assessment.



# Summer Flounder - 2018 RI Recreational Fishery Performance



Source: 2018 MRIP, 2018 data preliminary and only through wave 5

# Summer Flounder - 2019 Recreational Management



- Status quo:

Min. Size	Season	Possession Limit
19"	May 1 – Dec. 31	6 fish

- **Special shore provision proposal:**

Min. Size	Season	Possession Limit
<u><b>16"</b></u>	May 1 – Dec. 31	<u><b>2 fish</b></u>

- This will need to be vetted by the ASMFC, assessment delay may impact our ability to achieve in 2019



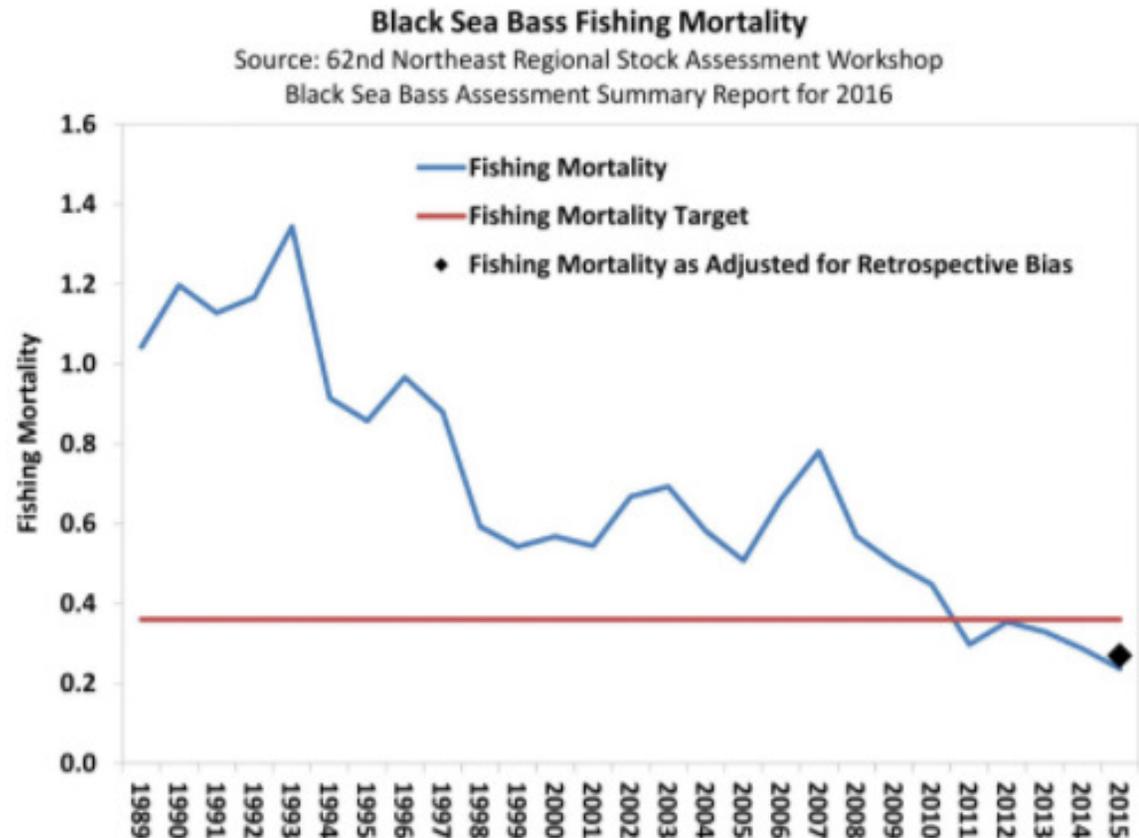
## Black Sea Bass

- Summary of Stock Status
- 2018 Rhode Island Recreational Fishery Performance
- Proposals for 2019

# Black Sea Bass - Stock Status



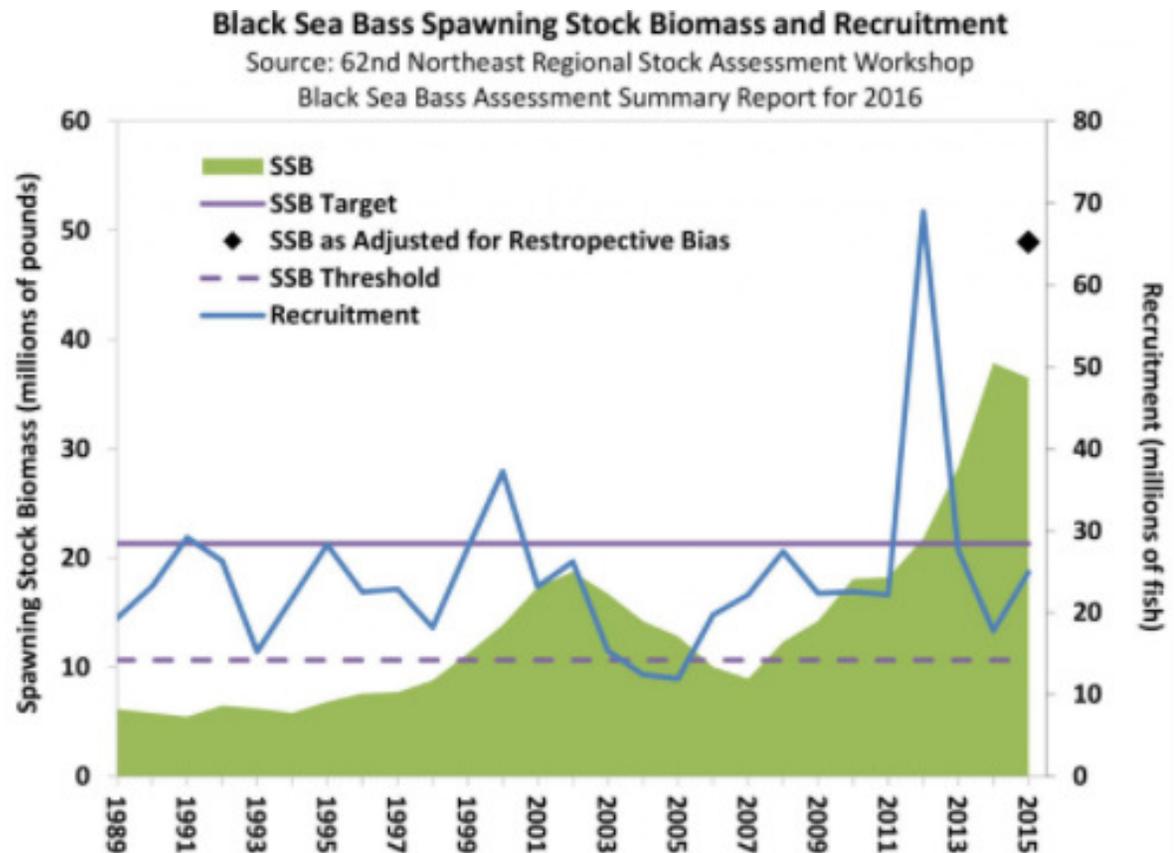
- Benchmark Stock Assessment in 2016.
- Black sea bass is not overfished, overfishing is not occurring relative to biological reference points.
- Fishing mortality was estimated to be 0.27 in 2015, below the threshold  $F$  reference point = 0.36.
- There is no new info since this assessment; everything based on projections.



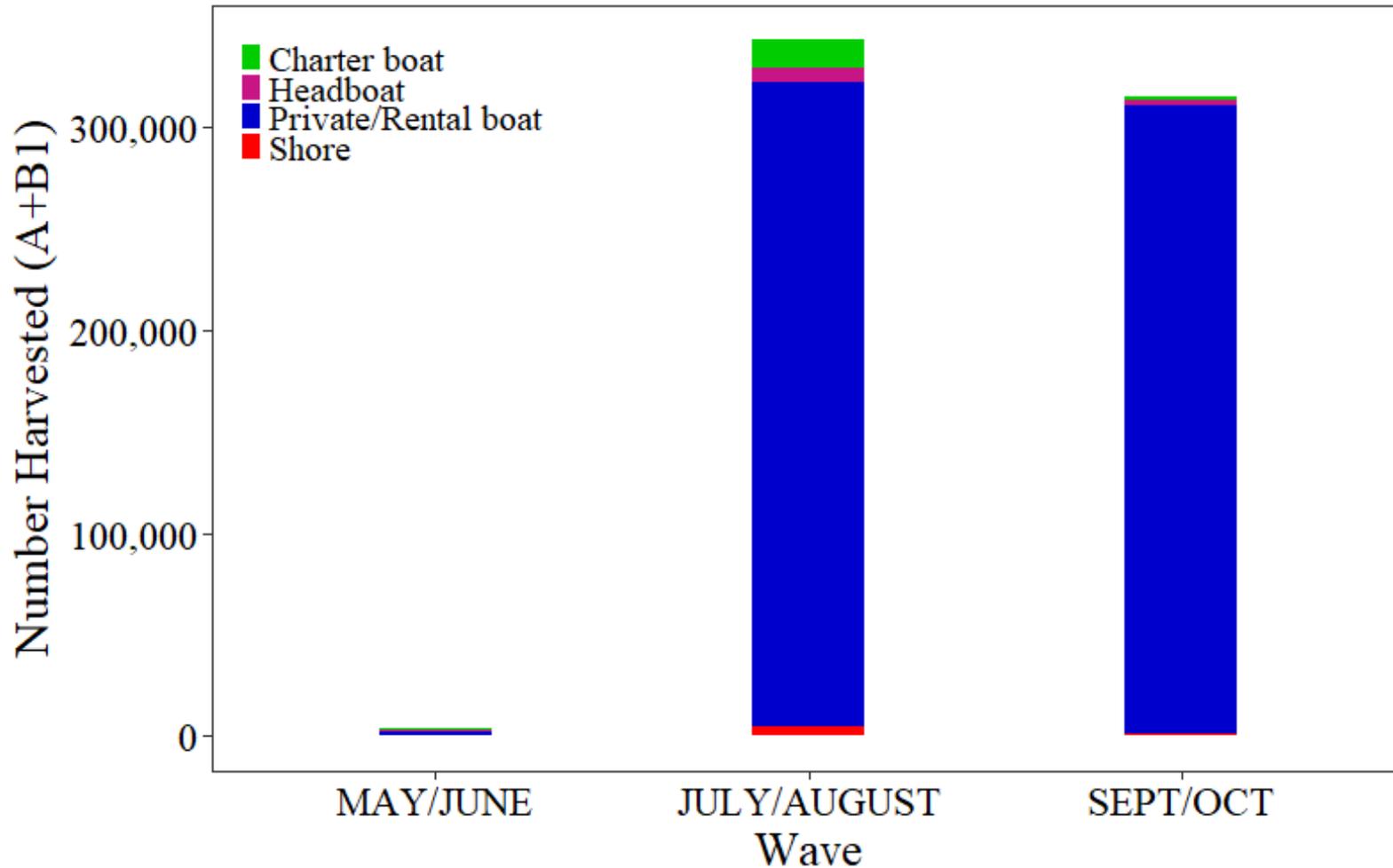
# Black Sea Bass - Stock Status cont'd.



- Spawning Stock Biomass (SSB) estimated to be 48.9 m lbs in 2015, 2.3X above the SSB reference point = 21.3 m lbs.
- 2014 year class estimated ~24.9 million fish, average, new info suggests strong 2015 year class.
- Status quo measures approved for 2019.
- Update scheduled for 2019.



# Black Sea Bass - 2018 RI Recreational Fishery Performance



Source: 2018 MRIP, 2018 data preliminary and only through wave 5

# Black Sea Bass - 2019 Recreational Management



- Status quo:

<b>Min. Size</b>	<b>Season</b>	<b>Possession Limit</b>
15"	1/1 – 7/2	Closed
	7/3 – 8/31	3 fish
	9/1 – 12/31	5 fish

# Black Sea Bass and Summer Flounder - 2019 Commercial Management



- Proposal to amend the Black sea bass season in the summer with the Summer flounder season:
  - Petition submitted/signed by several fishermen as public comments for the November 2018 hearing when 2019 commercial management of Black sea bass and Summer flounder were noticed.
  - Council voted to have matter re-visited in subsequent hearing prior to Summer season.
  - Petition addressed the following points:
    - Close the Black sea bass fishery on Friday, Saturday, and Sunday during the summer sub-period to align with the closed days of the Summer flounder fishery.
    - Raise the possession limit for Black sea bass to 85 lbs/vessel/day to offset the closed days.
    - Proposal designed to reduce regulatory discards of Black sea bass.
    - Avoid overlap with Massachusetts season as a means to prevent significant price fluctuations

# Black Sea Bass and Summer Flounder - 2019 Commercial Management



- Proposal to amend the Black sea bass season in the summer with the Summer flounder season:

Current rules	Min. Size	Season	Allocation	Days closed	Starting Possession Limit	
<b>Black sea bass</b>	15"	1/1 – 4/30	25%	N/A	500 (vsl/week)	
		5/1 – 6/30	25%	N/A	50 (vsl/day)	
		7/1 – 7/31	19.5%	N/A	50 (vsl/day)	
		8/1 – 9/14	Closed			
		9/15 – 10/31	19.5%		50 (vsl/day)	
		11/1 – 12/31	11%		50 (vsl/day)	
<b>Summer flounder</b>	9"	1/1 – 4/30	54%	N/A	100 lbs/day	
		5/1 – 9/15	35%	Fri/Sat/Sun	50 lbs/day	
		9/16 – 12/31	11%	N/A	100 lbs/day	
		2/5 – 4/30	Agg. Program	N/A	1,500 lbs/2 wks	



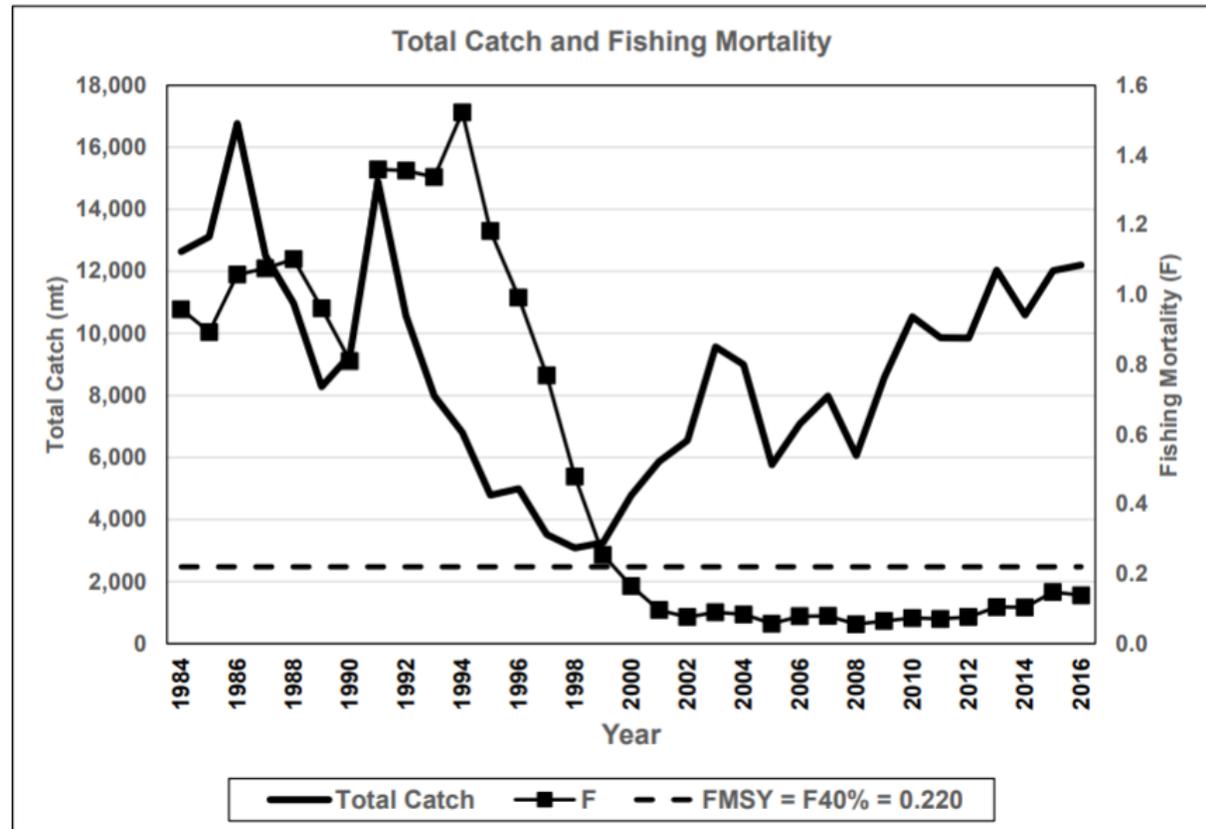
## Scup

- Summary of Stock Status
- 2018 Rhode Island Recreational Fishery Performance
- Proposals for 2019

# Scup - Stock Status



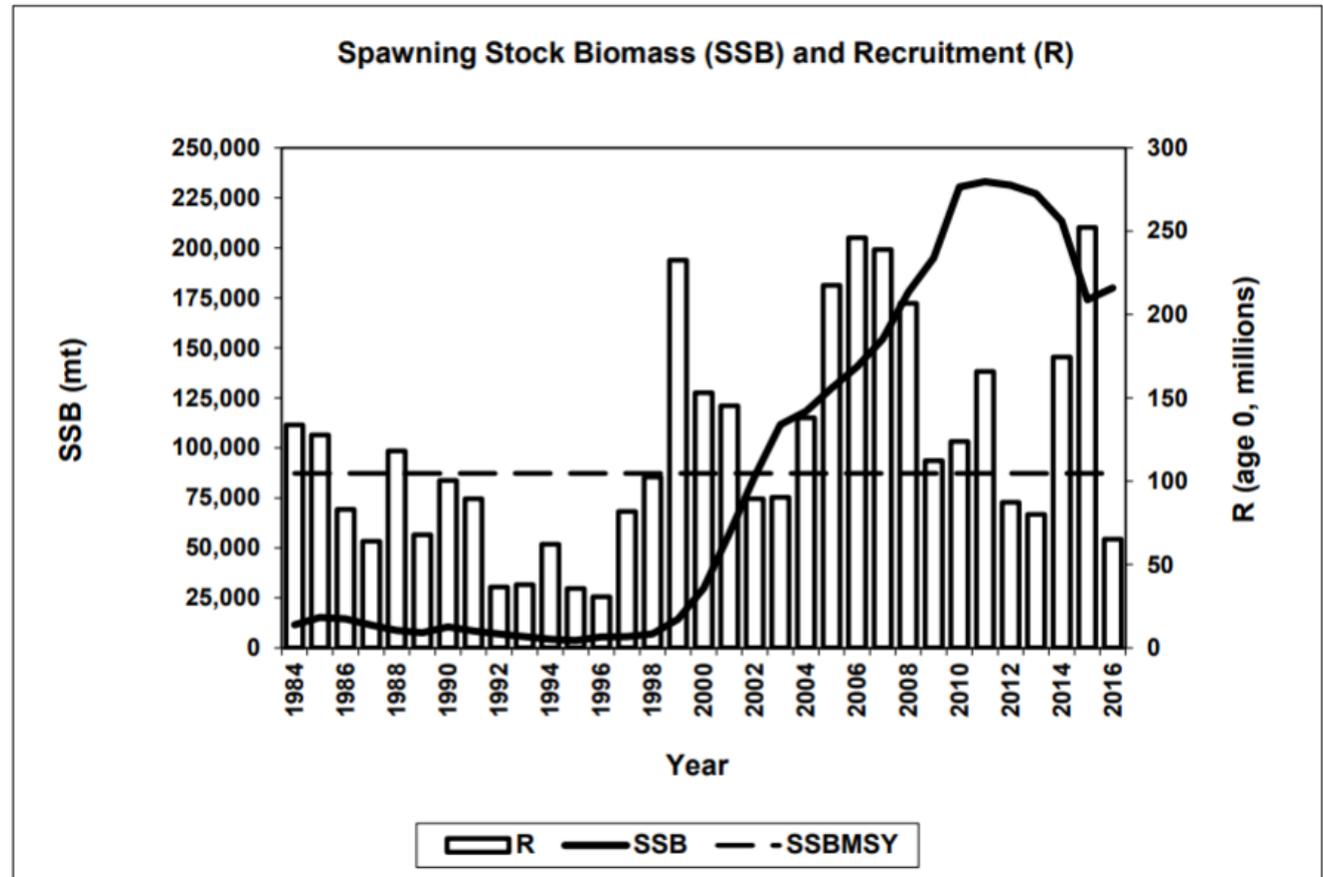
- Benchmark in 2015; assessment update in 2017.
- Scup is not overfished, overfishing is not occurring relative to biological reference points.
- Fishing mortality was estimated to be 0.139 in 2016, below the threshold  $F$  reference point = 0.22.



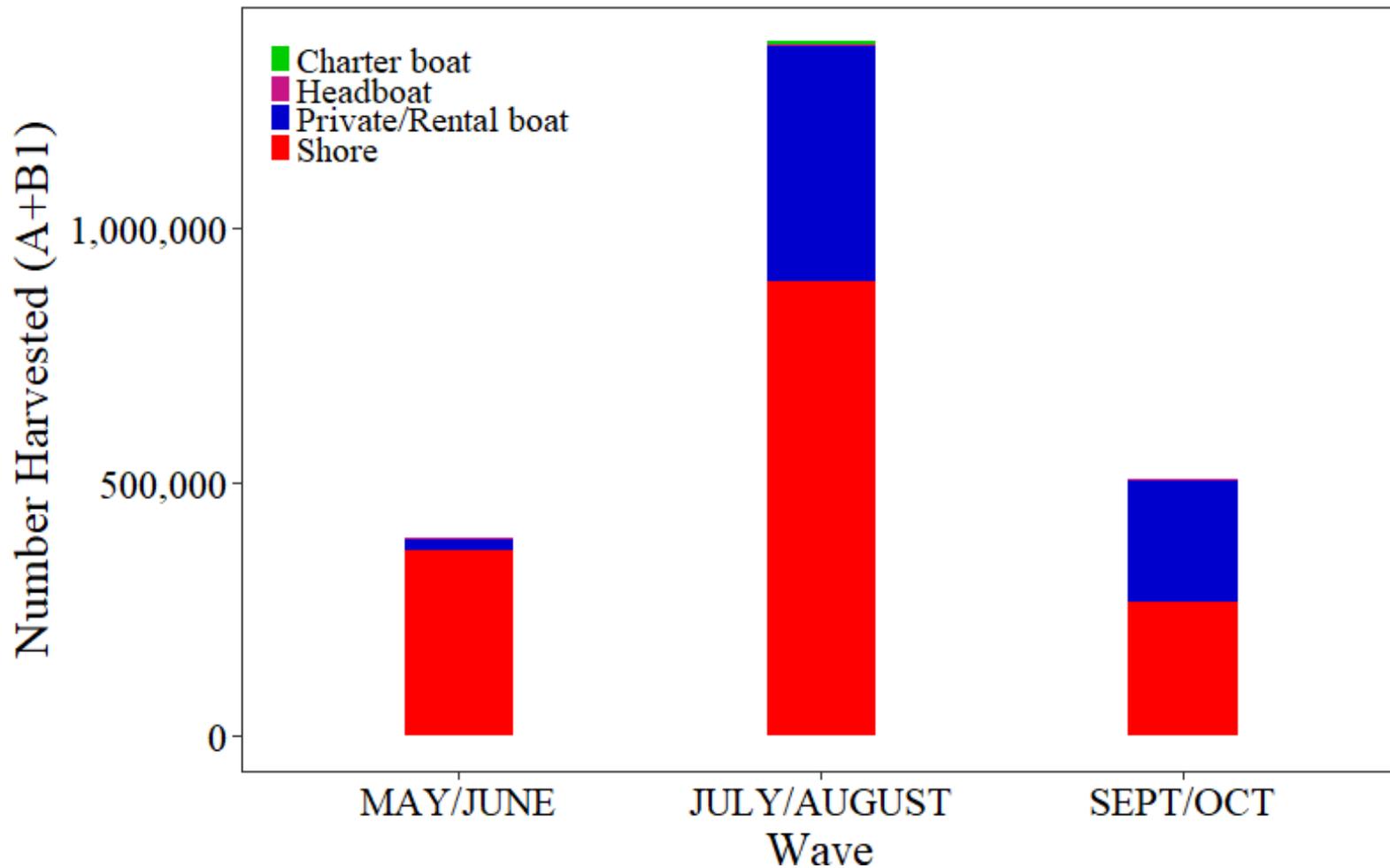
# Scup - Stock Status cont'd.



- SSB estimated to be 397 m lbs in 2016, above the SSB reference point = 192.47 m lbs and above the SSB threshold = 96.23 m lbs.
- The 2016 year class is currently estimated to be ~ 60 million fish, around average.
- Increase in quota expected in 2019, assessment will be updated in 2019



# Scup - 2018 RI Recreational Fishery Performance



Source: 2018 MRIP, 2018 data preliminary and only through wave 5

# Scup - 2019 Recreational Management



- Status quo:

<b>Mode</b>	<b>Min. size</b>	<b>Season</b>	<b>Possession Limit</b>
General Category	9"	May 1 – Dec. 31	30 fish
P/C	9"	May 1 – Aug. 31	30 fish
		Sept. 1 – Oct. 31	45 fish
		Nov. 1 – Dec. 31	30 fish
Special Shore	8"	May 1 – Dec. 31	30 fish

# Scup - 2019 Recreational Management



- Other options:

Mode	Min. size	Season	Possession Limit
P/C	9"	May 1 – Aug. 31	30 fish
		Sept. 1 – Oct. 31	<del>45</del> <u>50</u> fish
		Nov. 1 – Dec. 31	30 fish
P/C	9"	May 1 – Aug. 31	<del>30</del> <u>50</u> fish
		Sept. 1 – Oct. 31	<del>45</del> <u>50</u> fish
		Nov. 1 – Dec. 31	30 fish
P/C	9"	May 1 – Aug. 31	30 fish
		Sept. 1 – Oct. 31	<del>45</del> <u>50</u> fish
		Nov. 1 – Dec. 31	<del>30</del> <u>50</u> fish

- All of these options keep other modes status quo

# Scup - 2019 Recreational Management



- Other options continued:

Mode	Min. size	Season	Possession Limit
General Category	9"	<del>May</del> <u>January</u> 1 – Dec. 31	30 fish
P/C	9"	<del>May</del> <u>January</u> 1 – Aug. 31	30 fish
		Sept. 1 – Oct. 31	45 fish
		Nov. 1 – Dec. 31	30 fish
Special Shore	8"	<del>May</del> <u>January</u> 1 – Dec. 31	30 fish

# Commercial Scup - Gear-based possession limit thresholds



- Division proposal to adjust the commercial Scup gear-based possession limit thresholds consistent with the final rule published by NOAA (effective date 1/1/2019).
- **Proposed language (section 3.8.3(C)):** Trawl vessel gear restrictions - minimum mesh size: Owners or operators of otter trawl vessels possessing ~~five hundred (500)~~ one-thousand (1,000) pounds or more of scup from ~~November~~ October 1 through April ~~30~~ 14; or two-thousand (2,000) pounds or more of scup from April 15 through June 15; or two hundred (200) pounds or more of scup from ~~May 4~~ June 16 through ~~October 31~~ September 30, may only fish with nets that have a minimum mesh size of five (5) inches diamond (inside measure) or square mesh with a minimum length of seventy-five (75) meshes from the terminus of the net. For nets with less than seventy-five (75) mesh cod ends, the entire net will be five (5) inch minimum size diamond or square mesh.



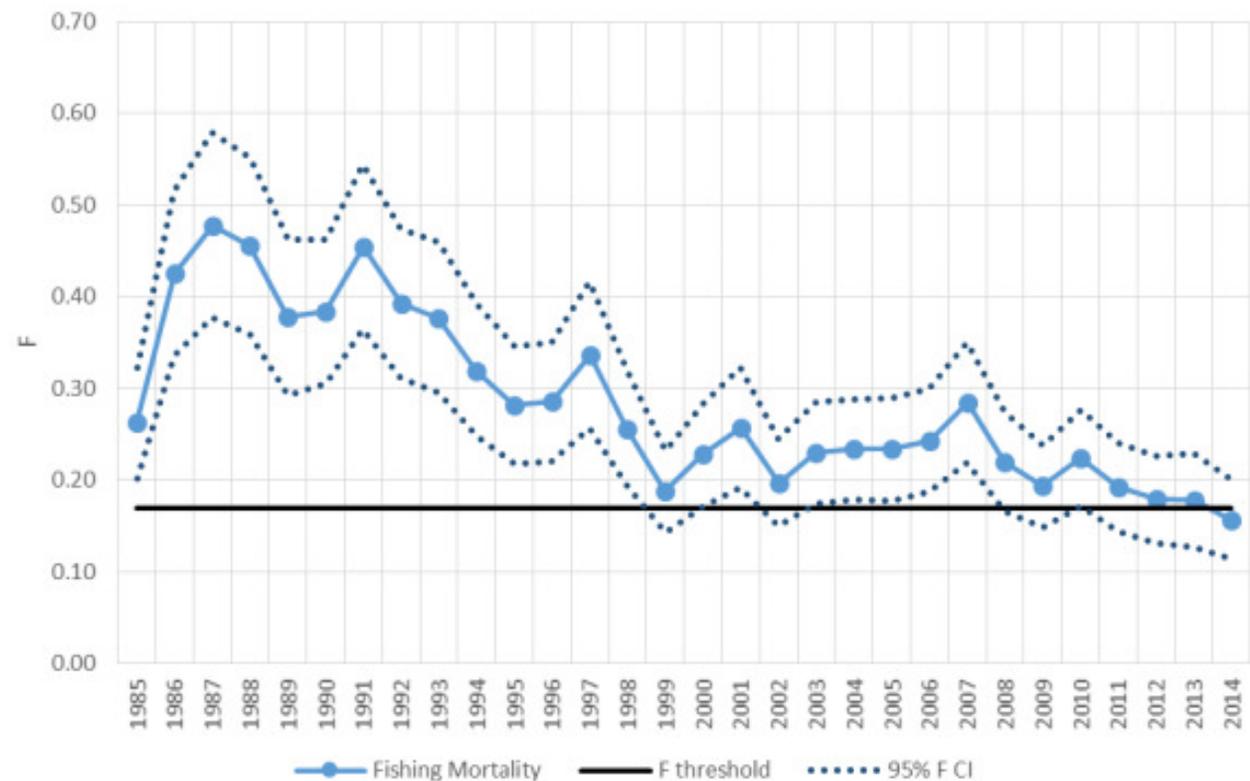
## Bluefish

- Summary of stock status
- MAFMC/ASMFC Management
- 2018 Rhode Island commercial fishery performance
- Proposals for the 2019 commercial bluefish fishery
- 2018 recreational fishery performance
- Proposals for the 2019 recreational bluefish fishery

# Bluefish - Stock Status



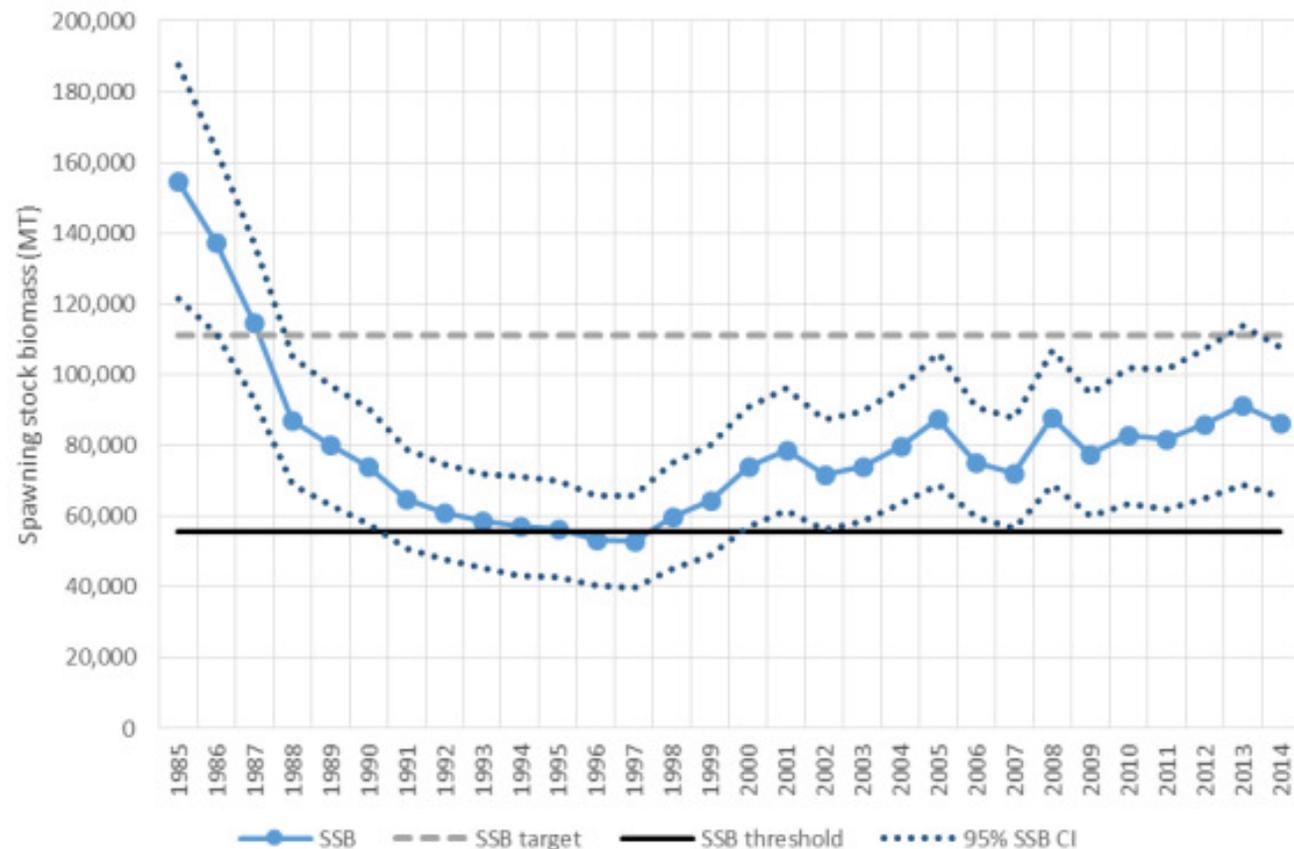
- Benchmark assessment in 2015
- The bluefish stock is not overfished, and overfishing is not occurring relative to biological reference points.
- Fishing mortality was estimated to be 0.157 in 2014, below the threshold F reference point = 0.19.



# Bluefish - Stock Status cont'd.



- Biomass estimated to be 207.96 m lbs in 2014, above the Biomass threshold = 162.1 m lbs but below the Biomass target of 324.19 m lbs.
- The 2014 year class is currently estimated to be about 29.6 million fish, above the median.



# Bluefish - MAFMC/ASMFC Management



- Bluefish Allocation Amendment: considering reallocation between sectors and among states, as well as updating the transfer process
  - December 2017 – Initiated amendment
  - June-July 2018 – Meetings held and public comment period
  - August 2018 – MAFMC/Board Meeting
- Operational assessment to occur this year
  - Assessment to incorporate new MRIP data
  - Results anticipated spring 2019
- Council/Board will continue to work on the amendment but will not finalize the public hearing document or hold public hearings until after the results of the operational assessment are available in the spring

# Bluefish - 2018 Commercial Fishery Performance



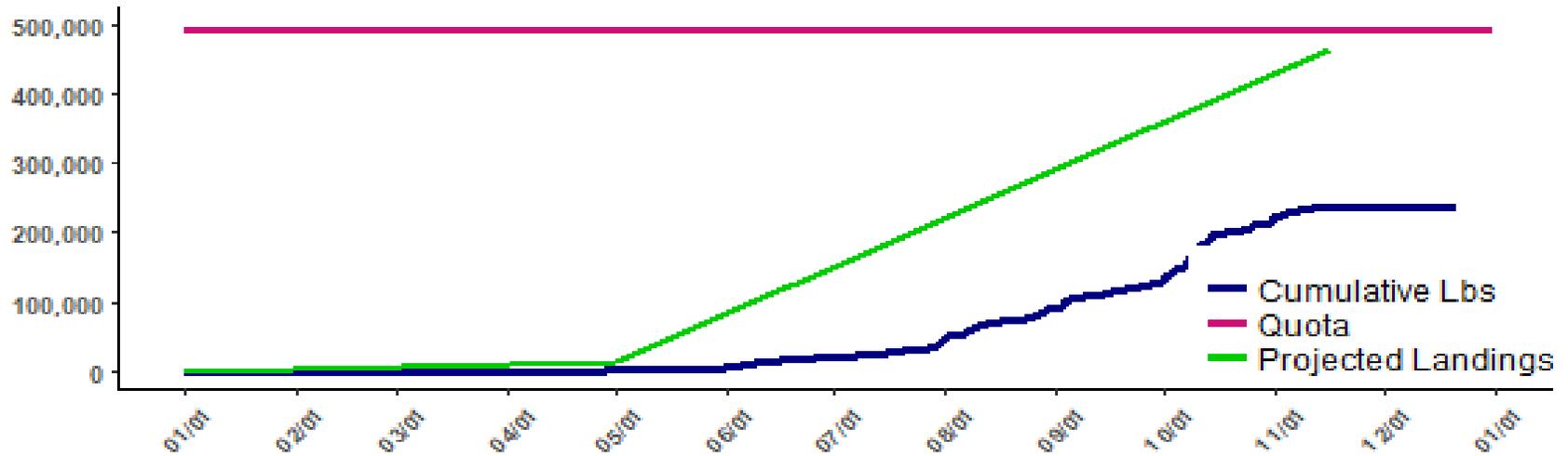
Sub-period	2018 Initial Projected Poundage	2018 Pounds Landed	Possession Limit
1/1 – 4/30	15,361	1,407	1,000 lbs/2 wks (1/1)
5/1 – 11/15	464,141	235,075	6,000 lbs/wk (5/1) 10,000 lbs/wk (5/27) 15,000 lbs/wk (7/15) 25,000 lbs/wk (10/21)
11/16 – 12/31	12,380	618	25,000 lbs/wk (11/16)
<b>Total</b>	<b>491,882</b>	<b>237,099</b>	

- No transfers from other states occurred in 2018

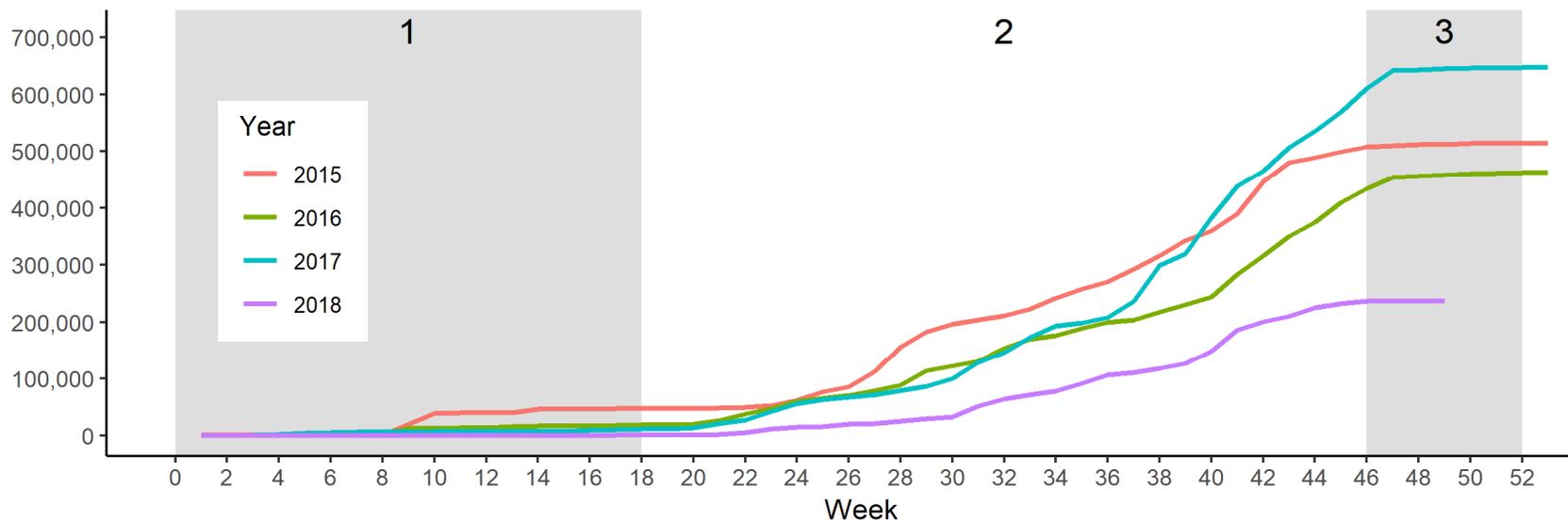
# Bluefish – 2018 Commercial Fishery Performance cont'd.



2018 Pounds Landed



2015-2018 Pounds Landed



# Bluefish - Proposed 2019 Commercial Management Options



- 2019 Commercial Quota: 524,874 lbs (increase of ~ 6% from 2018 initial quota)

Option	Min. size	Sub-period	Poss. Limit	2019 Projected Poundage
<u>Option 1:</u> Status Quo	12"	1/1 – 4/30	1,000 lbs/2 wks	8,724
		5/1 – 2 <sup>nd</sup> Sat. in Nov.	6,000 lbs/wk	489,410
		2 <sup>nd</sup> Sun. in Nov. – 12/31	500 lbs/wk	17,550
<u>Option 2:</u> <u>Increase</u> <u>sub-period</u> <u>two limit</u>	12"	1/1 – 4/30	1,000 lbs/2 wks	8,724
		5/1 – 2 <sup>nd</sup> Sat. in Nov.	<del>6,000</del> <u>8,000</u> lbs/wk	496,077
		2 <sup>nd</sup> Sun. in Nov. – 12/31	500 lbs/wk	17,550

# Bluefish - Proposed 2019 Commercial Management Options cont'd.

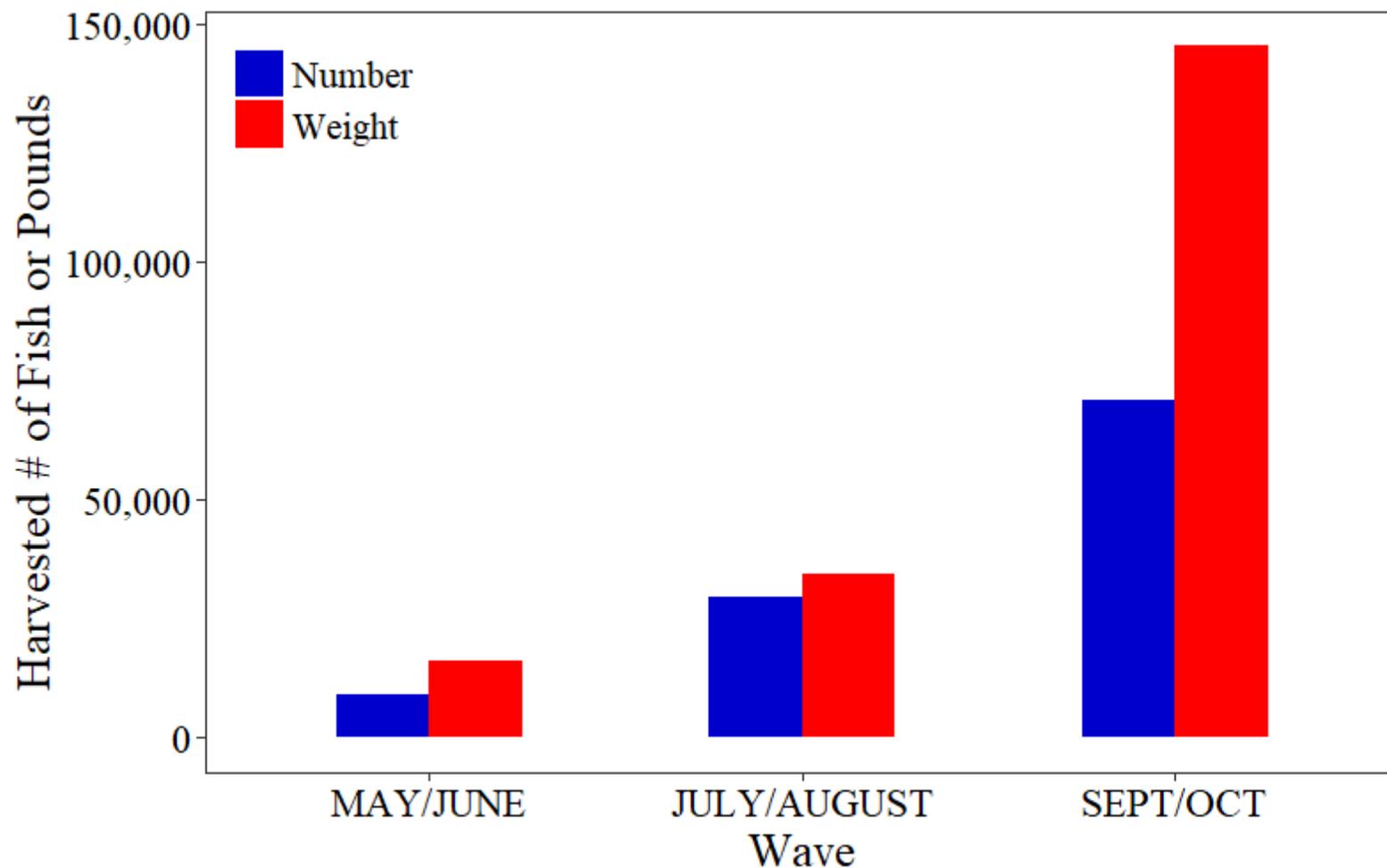


- If the recreational to commercial transfer does not go through, the commercial quota is: 252,550 lbs

Option	Min. size	Sub-period	Poss. Limit	2019 Projected Poundage
<b><u>Option 1:</u></b> <b><u>Decrease all</u></b> <b><u>sub-period</u></b> <b><u>limits</u></b>	12"	1/1 – 4/30	<del>1,000</del> <b><u>500</u></b> lbs/2 wks	7,307
		5/1 – 2 <sup>nd</sup> Sat. in Nov.	<del>6,000</del> <b><u>1,000</u></b> lbs/wk	230,819
		2 <sup>nd</sup> Sun. in Nov. – 12/31	<del>500</del> <b><u>250</u></b> lbs/wk	15,300

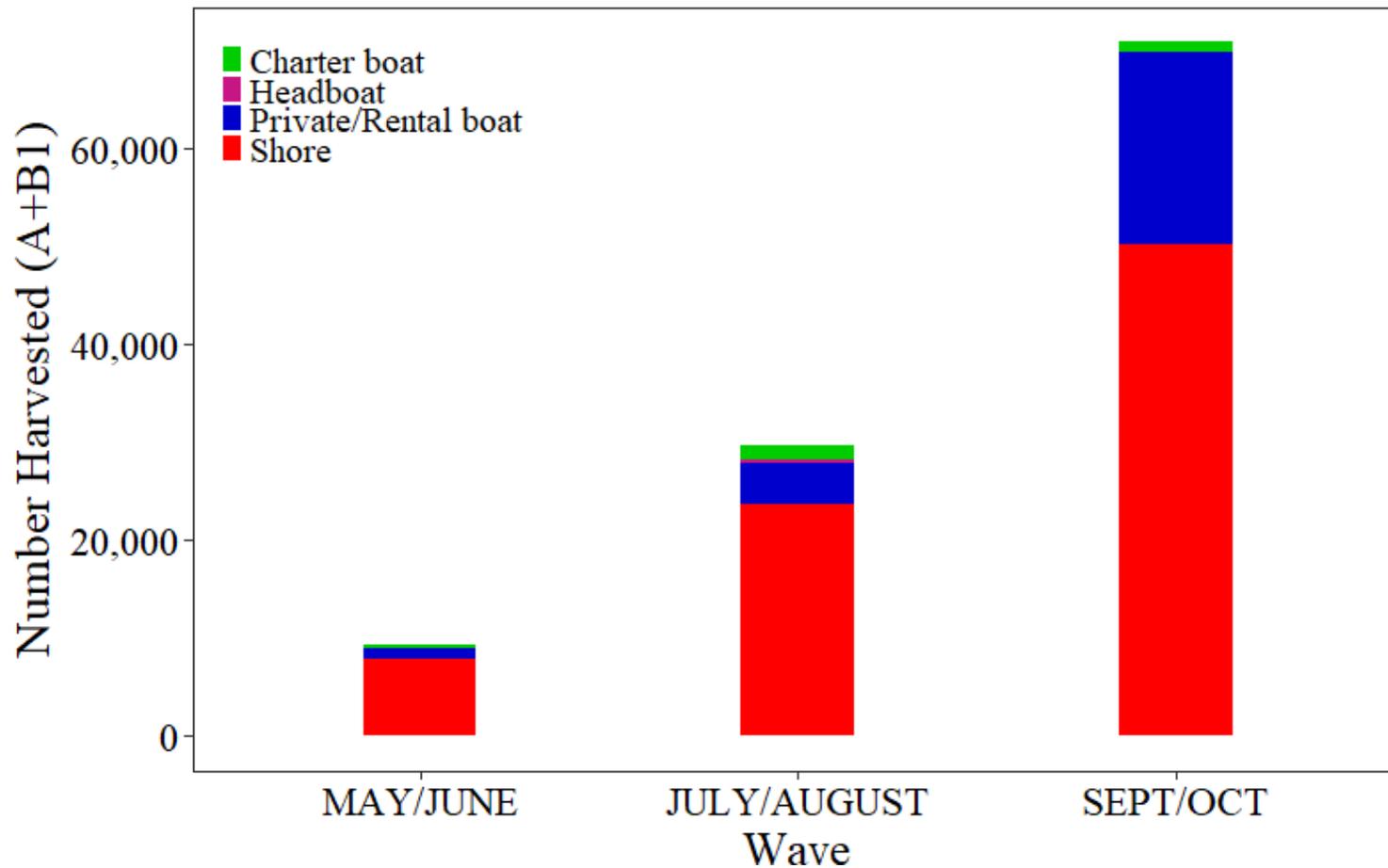
- The transfer is very likely to go through. However, the timing is unclear due to the federal shutdown.

# Bluefish - 2018 RI Recreational Fishery Performance



Source: 2018 MRIP, 2018 data preliminary and only through wave 5

# Bluefish - 2018 RI Recreational Fishery Performance cont'd.



Source: 2018 MRIP, 2018 data preliminary and only through wave 5

# Bluefish - Proposed 2019 Recreational Management Options



- No changes proposed for 2019

<b>Min. size</b>	<b>Sub-period</b>	<b>Poss. Limit</b>
No min. size	1/1 – 12/31	15 fish

# Party/charter possession limit for Tautog



- Division proposal to correct the party/charter possession limit during the 10/15 – 12/31 sub-period from 6 to 5 fish.
- Recreational possession limit was amended from 6 fish to 5 fish as a result of public hearing February 2018, as well as extending the season to Dec 31. These changes to the party/charter regulations were inadvertently missed at that time.

# Recreational Cod minimum size



- Division proposal seeks consistency with the 2018 federal specifications for the Georges Bank (GB) cod recreational fishery by increasing the minimum size from 22” to 23”.
- Changes to the recreational possession limit are not being proposed at this time.
- Proposed language (Part 3, section 3.20.1):
  - A. Minimum size: ~~Twenty-two inches (22”)~~ **Twenty-three inches (23”)**.
  - B. Possession limit: Ten (10) fish per person per calendar day.

# Blacknose shark possession limit



- Division proposal seeks consistency with the 2019 ASMFC specifications for coastal sharks, which prohibits possession of Blacknose sharks north of 34°N latitude in the commercial fishery.
- Proposed language (Part 3, section 3.19.2.(A)):
  1. Prohibited: Sand tiger, Bigeye sandtiger, Whale, Basking, White, Dusky, Bignose, Galapagos, Night, Reef, Narrowtooth, Caribbean sharpnose, Smalltail, Atlantic angel, Longfin mako, Bigeye thresher, Sharpnose sevengill, Bluntnose sixgill, **Blacknose**, and Bigeye sixgill shark.
- Proposed language (Part 3, section 3.19.2(F)):
  - Possession limit: Possession limits will be established annually by NOAA Fisheries, ASMFC, or DEM.
    1. Smoothhound, Non-Blacknose Small Coastal, **Blacknose**, and Pelagic shark species groups: Unlimited.

End of Slides!



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